

**REMARKS****Summary of the Office Action**

Claims 1-3 and 7 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Graff et al. (U.S. Patent No. 6,570,325) (hereinafter "Graff").

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Graff in view of Nishimura et al. (U.S. Patent No. 6,993,214) (hereinafter "Nishimura").

Claims 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Graff in view of Sugimoto et al. (U.S. Patent No. 6,897,607) (hereinafter "Sugimoto").

Claims 8-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Graff.

Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Graff in view of Nishimura.

**Summary of the Response to the Office Action**

Independent claims 1 and 8 have been newly-amended in order to differently describe embodiments of the disclosure of the instant application. Claim 11 has been newly-amended to improve it's form. Accordingly, claims 1-11 remain currently pending and under consideration.

**Rejections under 35 U.S.C. §§ 102(e) and 103(a)**

Claims 1-3 and 7 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Graff. Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Graff in view of Nishimura. Claims 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Graff in view of Sugimoto. Claims 8-10 stand rejected under 35 U.S.C. § 103(a) as being

unpatentable over Graff. Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Graff in view of Nishimura. Independent claims 1 and 8 have been newly-amended in order to differently describe embodiments of the disclosure of the instant application. To the extent that these rejections might be deemed to still apply to the claims as newly-amended, they are respectfully traversed for at least the following reasons.

Independent claim 1 of the instant application has been newly-amended in order to describe an advantageous combination of features of an organic electroluminescent display panel that includes “an inclusion-inorganic-barrier laminate provided at least between said organic electroluminescent elements and said resin substrate and having a high-molecular compound layer in a form of being in contact with said organic electroluminescent elements, wherein the inclusion-inorganic-barrier laminate includes first and second inorganic barrier films so as to compress the high-molecular compound film embedded between the first and second inorganic barrier films.” Applicants respectfully submit that such features are supported, for example, by the disclosure at page 7, lines 10-15 of the specification, as well as by Fig. 1, for example, of the instant application.

Applicants respectfully submit that the applied Graff reference does not disclose any sealing construction, i.e., an inclusion-inorganic-barrier laminate including first and second inorganic barrier films so as to compress the high-molecular compound film embedded between the first and second inorganic barrier films, as specifically described in newly-amended independent claim 1 of the instant application.

Applicants respectfully submit that the applied Graff reference discloses that an encapsulated organic light emitting device which has an intermediate layer (decoupling layer)

between two inorganic films can be made of resins, inorganic polymers including polysilazane. However, Applicants respectfully submit that the applied Graff reference does not disclose any sealing region locally placed at an edge of the high-molecular compound film sealed and embedded between the first and second inorganic barrier films, as specifically recited in newly-amended independent claim 1 of the instant application.

Applicants respectfully submit that Nishimura similarly also does not disclose any inclusion-inorganic-barrier laminate as described in the foregoing discussion.

Applicants respectfully submit that the applied Sugimoto reference discloses an organic electroluminescent display panel comprising an inorganic barrier film for covering the surfaces of the resin substrate. However, Applicants respectfully submit that Sugimoto does not disclose any inclusion-inorganic-barrier laminate including first and second inorganic barrier films so as to compress the high-molecular compound film embedded between the first and second inorganic barrier films, as specifically described in newly-amended independent claim 1 of the instant application.

Therefore, for at least the foregoing reasons, Applicants respectfully submit that one would not have been motivated to utilize a sealing region locally placed at an edge of the intermediate film in light of the disclosures of Graff, Sugimoto and Nishimura. Accordingly, Applicants respectfully submit that the applied references do not render the pending claims unpatentable.

Independent claim 8 has also been newly-amended to include similar features as discussed above with regard to newly-amended independent claim 1. Accordingly, similar

arguments, as set forth above with regard to newly-amended independent claim 1 also apply to newly-amended independent claim 8.

Accordingly, Applicants respectfully assert that the rejections under 35 U.S.C. §§ 102 and 103(a) should be withdrawn because the applied art of record does not teach or suggest each feature of newly-amended independent claims 1 and 8. As pointed out in MPEP § 2131, "[t]o anticipate a claim, the reference must teach every element of the claim." Thus, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. Of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987)." Similarly, MPEP § 2143.03 points out that "[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art." In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970)." Furthermore, Applicants respectfully assert that the dependent claims are allowable at least because of their dependence from the independent claims, and the reasons set forth above.

It respectfully submitted that at least the applied secondary reference to Nishimura does not appear to qualify as prior art against the instant application because it's U.S. filing date is after the International Filing Date of the instant application. However, if this understanding is incorrect, the Examiner is requested to provide clarification in the next Office Communication.

### **CONCLUSION**

In view of the foregoing, Applicants submit that the pending claims are in condition for allowance, and respectfully request withdrawal of all outstanding rejections and reconsideration and timely allowance of these claims. Should the Examiner feel that there are any issues

outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution. A favorable action is awaited.

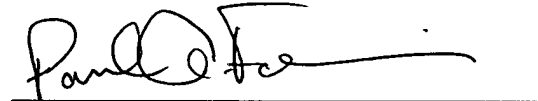
**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**DRINKER BIDDLE & REATH LLP**

Dated: December 14, 2007

By:



Paul A. Fournier  
Reg. No. 41,023

**Customer No. 055694**  
**DRINKER BIDDLE & REATH LLP**  
1500 K Street, N.W., Suite 1100  
Washington, DC 20005-1209  
Tel.: (202) 842-8800  
Fax: (202) 842-8465